

No. 24-3422

IN THE
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

IN RE: JOHN DOE,

JOHN DOE,
Crime Victim-Petitioner,

vs.

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA, SOUTHERN DIVISION,
Respondent.

ANASTASSIA KREZOUN, UNITED STATES OF AMERICA
Real Parties in Interest

**STIPULATION RE TIME TO RESOLVE PETITION FOR
WRIT OF MANDAMUS PURSUANT TO 18 U.S.C. § 3771(d)(3)
AND PETITIONER'S REQUEST FOR INTERIM RELIEF
EMERGENCY ACTION REQUESTED BY JUNE 3, 2024**

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Attorneys for John Doe, Victim and Petitioner

Victim-Petitioner John Doe (“Petitioner” or “Victim”), Plaintiff United States of America, and Defendant Anastassia Krezoub (“Defendant”) (collectively, the “Parties”), through their counsel, hereby stipulate as follows:

WHEREAS, Victim is concurrently filing and/or has filed a Petition for Writ of Mandamus pursuant to 18 U.S.C. § 3771(d)(3) (the Crime Victims’ Rights Act, or CVRA), contending that a sentencing memorandum entered by the district court includes improper, unsubstantiated, and unnecessary material relating to Victim, in violation of Victim’s rights under the CVRA to be treated with fairness and with respect for his dignity and privacy;

WHEREAS, the district court provisionally filed the sentencing memorandum under seal to allow Victim to seek relief in this Court, and it instructed that “the sentencing memorandum will remain under seal for **FIVE** days, until **June 3, 2024**, at which time, barring instructions from the Ninth Circuit, the sentencing memorandum shall be publicly docketed”;

WHEREAS, Victim has met and conferred with the other Parties, and the Parties are willing to stipulate that the petition

does not need to be resolved within 72 hours as otherwise required by statute, ***provided*** that the Court issue an order granting interim relief to maintain the sentencing memorandum under seal pending resolution of the writ and until further order by this Court;

WHEREAS, the Parties further agree that any party may file a response to Victim's petition within seven days of the filing of the petition, and the Parties request that the Court thereafter rule on the petition as soon as practicable.

NOW, THEREFORE, the Parties respectfully request that the Court, **on or prior to June 3, 2024**, enter an Order providing as follows:

1. The parties have stipulated that the Court need not resolve the petition within the 72-hour statutory deadline set forth in 18 U.S.C. § 3772(d)(3). *See Doe v. U.S. Dist. Court for the Dist. of Nev. (In re Doe)*, 50 F.4th 1247 (9th Cir. 2022).

2. The sentencing memorandum provisionally filed under seal by the district court (Dkt. 88) shall remain under seal until otherwise ordered by this Court.

3. Any other Party may file a response to the petition within seven days of the petition's filing, and the Court will thereafter decide the writ as soon as practicable.

Dated: May 31, 2024

SIDLEY AUSTIN LLP

By: /s/ David R. Carpenter

David R. Carpenter

Attorney for Victim-Petitioner

Dated: May 31, 2024

E. MARTIN ESTRADA

United States Attorney

CAMERON L. SCHROEDER

Assistant United States Attorney

Chief, National Security Division

By: /s/ Andrew M. Roach

Attorney for Plaintiff

United States of America

Dated: May 31, 2024

CUAUHTEMOC ORTEGA

Federal Public Defender

By: /s/ Terra D. Castillo Laughton

Deputy Federal Public

Defender

Attorney for Defendant

CERTIFICATE OF SERVICE

I certify that all participants in this case were served with
STIPULATION RE TIME TO RESOLVE PETITION FOR WRIT
OF MANDAMUS PURSUANT TO 18 U.S.C. § 3771(d)(3) AND
PETITIONER'S REQUEST FOR INTERIM RELIEF via email.

Executed on May 31, 2024, at Los Angeles, California.

/s/ David R. Carpenter

David R. Carpenter